

Attorney Docket No. P66688US0

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: Franz-Josef Meyer-Almes

Via Facsimile
703-872-9306

Serial No.: 09/856,185

Group Art Unit : 1651

Filed: September 7, 2001

Examiner: S. SAUCIER

For: CHEMOSENSITIVITY DETERMINATION USING PHOSPHATIDYL SERINE

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TRANSMITTAL FOR REPLACEMENT FORM PTO 1449

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

OFFICIAL

Sir:

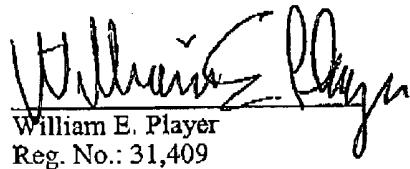
Transmitted by facsimile, herewith, is a revised version of the Form PTO 1449 submitted with the IDS filed October 1, 2001.

The IDS was filed with the International Search Report, copies of the references cited in the International Search Report, and the Form PTO 1449, which listed the cited references. A copy of the Form PTO 1449 marked "Incomplete citations – not considered" was attached to the Office Action mailed September 26, 2003. It would appear that the previously filed IDS meets the requirement (in PTO Rule 98(a)(1) and MPEP 609) for filing a "separate paper," which lists the submitted references, in order to have the references officially "considered." The International Search Report submitted with the IDS contains a complete citation of each reference in-and-of-itself; and, by cross referencing with the International Search Report, the complete citation of each reference listing on the Form PTO 1449 is readily apparent. Nonetheless, the replacement Form PTO 1449 transmitted herewith includes the names and volume numbers of the scientific journals in the reference citations on the submitted International Search Report, which were missing from the submitted Form PTO 1449. The Examiner is asked to initial the attached Form PTO 1449 and provide a copy of the initialed form with the next Office communication.

Respectfully submitted,

JACOBSON HOLMAN PLLC

By



William E. Player
Reg. No.: 31,409

400 Seventh Street, N.W.
 Washington, D.C. 20004
 Tel. 202-638-6666
 Fax 202-393-5350
 Date: March 26, 2004
 WEP/id
 P66688-1449(rm).wpd

Sheet 1 of 1

FORM PTO 1449 (modified) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE LIST OF REFERENCES CITED BY APPLICANT(S) (Use several sheets if necessary)		ATTY DOCKET NO.: P66688US0	SERIAL NO.: 09/856,185				
		APPLICANT: Franz Josef MEYER-ALMES					
		FILING DATE: September 7, 2001	GROUP: 1651				
U.S. PATENT DOCUMENTS							
*EXAMINER INITIALS	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE	
FOREIGN PATENT DOCUMENTS							
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO	
OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)							
	Han Chong TOH et al., "Vinorelbine Induces Apoptosis and Caspase-3 (Cpp32) Expression in Leukemia and Lymphoma Cells: a Comparison with Vincristine", <i>Leukemia and Lymphoma</i> , 31, 195-208 (1998).						
	Vladimir D. KRAVTSOV et al., "Use of the Microculture Kinetic Assay of Apoptosis to Determine Chemosensitivities of Leukemias", <i>Blood</i> , 92, 968-980 (1998).						
	Antonius W.M. BOERSMA et al., "Bax Upregulation Is an Early Event in Cisplatin-induced Apoptosis in Human Testicular Germ-cell Tumor Cell Line Nt2, as Quantitated by Flow Cytometry", <i>Cytometry</i> , 27, 275-282 (1997).						
EXAMINER		DATE CONSIDERED					

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.